

**ZB# 04-60**

**Marie Guillotin**

**45-1-27**

ZBA#04-60 MARIE GUILLOTIN  
(AREA) 30 CONTINENTAL DR. (45-1-27)

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
Granted 9-13-04

Marie Gullotix 562-7940



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

December 16, 2004

Marie Guillotin  
30 Continental Drive  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #04-60**

Dear Ms. Guillotin:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 45-1-27

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

MARIE GUILLOTIN

AREA

CASE #04-60

**WHEREAS, Gina DeCerbo representing Marie Guillotin , owner(s) of 30 Continental Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 7 ft. Side Yard Setback (300-11A) for existing detached screened building at 30 Continental Drive in an R-4 Zone (45-1-27)**

**WHEREAS, a public hearing was held on September 13, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and**

**WHEREAS, the Applicant appeared on behalf of this Application; and**

**WHEREAS, there were no spectators appearing at the public hearing; and**

**WHEREAS, no one spoke in favor of or in opposition to the Application; and**

**WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and**

**WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:**

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The variance is sought for a screened in gazebo or porch.
  - (c) The subject porch has been in existence for approximately twenty-four years, during which time there have been no complaints, either formal or informal, about it.

- (d) The porch/building is not over, nor does it interfere with, any easements including, but not limited to, water, sewer or electric.
- (e) The porch/building does not create the ponding or collection of water or divert the flow of water drainage.
- (f) In constructing the porch/building, no trees or substantial vegetation was removed
- (g) The building is anchored to the ground by cement blocks.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

**NOW, THEREFORE, BE IT**

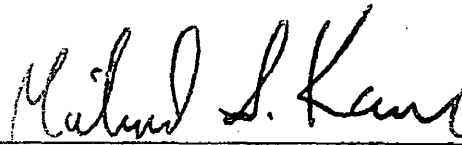
**RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 7 ft. Side Yard Setback (300-11A) for existing detached screened building at 30

Continental Drive in an R-4 Zone (45-1-27) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: September 13, 2004

A handwritten signature in cursive script, reading "Michael S. Kane", written over a horizontal line.

Chairman



RESULTS OF Z.B.A. MEETING OF: September 13, 2004

PROJECT: Marie Guillotin

ZBA # 04-60

**P.B.#**

**USE VARIANCE:      NEED: EAF      PROXY**

LEAD AGENCY: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y\_\_\_\_N\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_\_ N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

**APPROVED:** M)\_\_\_\_S)\_\_\_\_ VOTE: A\_\_\_\_ N\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓  
VARIANCE APPROVED: M) MN S) 2 VOTE: A 4 N 0.

GANN	
LOCEY	A
RIVERA	
<del>NEEDS</del>	
REIS	A
MINUTA	A
KANE	A

**CARRIED:** Y     N    

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is a double-line border at the top and bottom edges. The paper appears to be from a notebook or a standard sheet of stationery.

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: July 6, 2004**

**APPLICANT: Jean & Marie Louise Guillotin  
30 Continental Drive  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/2/04**

**FOR : Accessory Building**

**LOCATED AT: 30 Continental Dr.**

**ZONE: R-4 Sec/Blk/ Lot: 45-1-27**

**COPY**

**DESCRIPTION OF EXISTING SITE: Single family / with detached screened building**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. 300-11A Accessory buildings - Screened building shall be set back 10ft. from any lot line .  
Existing building is 3ft. from side lot line. A variance of 7ft. is required.**

  
**BUILDING INSPECTOR**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: **R-4** USE: **Screened bldg. Bulk Tables**

MIN LOT AREA: 13,750

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD: 10ft. 3ft. 7ft.

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

#50check

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

JUL 02 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Louise Gullottin

Address 30 Continental Dr. Phone # 562-7940

Mailing Address Same Fax # \_\_\_\_\_

Name of Architect \* Please contact Gina DeCenzo  
@ REIMAX Benchmark 565-0004

Address homeowner Phone ext. 345

Name of Contractor not applicable

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the East side of Continental Dr.  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 25 45 Block 1 Lot 27

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Screen house b. Intended use and occupancy same

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? No existing screen house

7. Dimensions of entire new construction. Front 172" Rear 172" Depth 205" Height 82" No. of stories 1  
ceiling ht. 74"

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost 1,000 Fee \$50  
CH# 123

**PAID**

\_\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4685 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

John A. Perbo  
(Signature of Applicant)

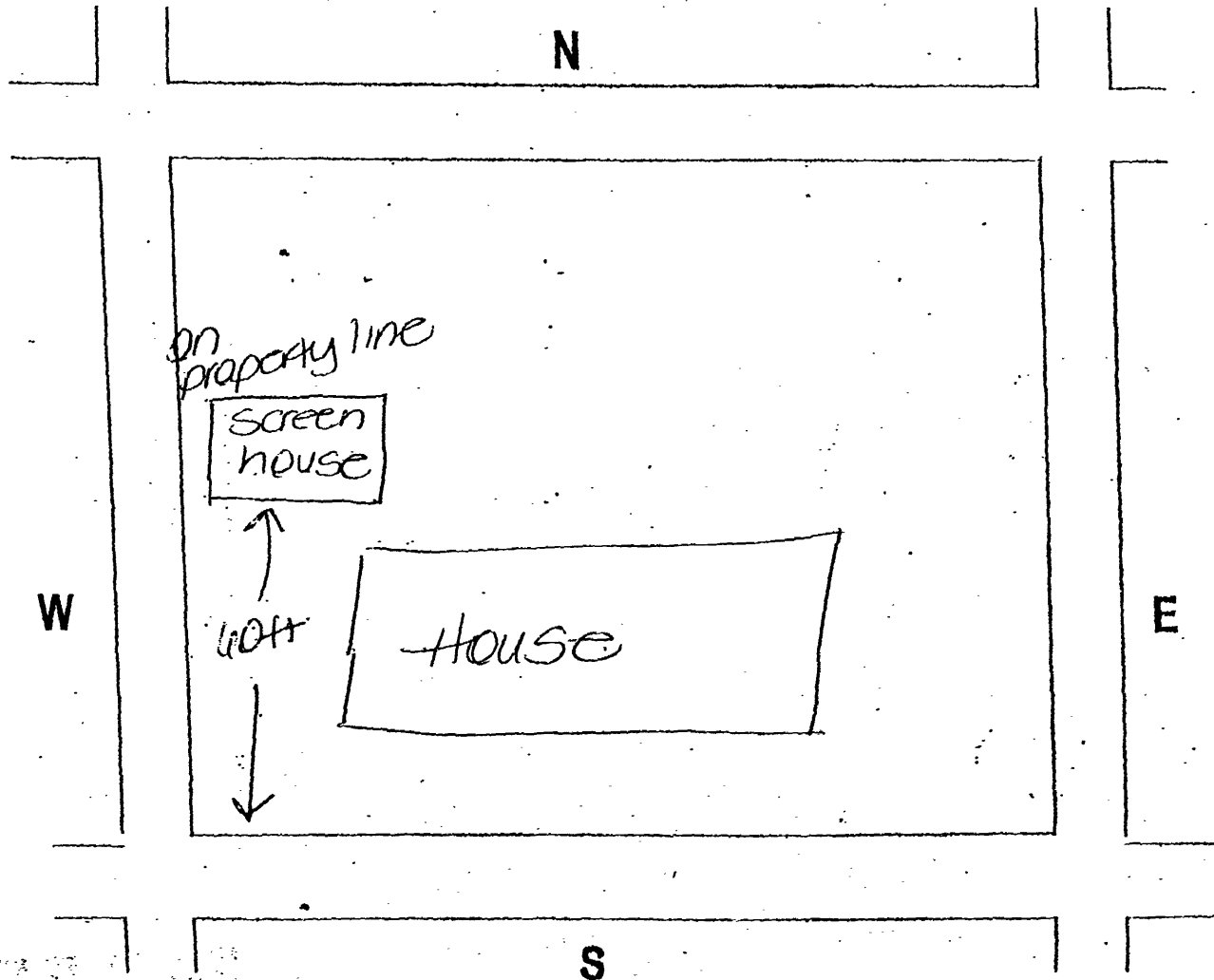
30 Continental Dr.  
(Address of Applicant)

for Marie Guilotel same

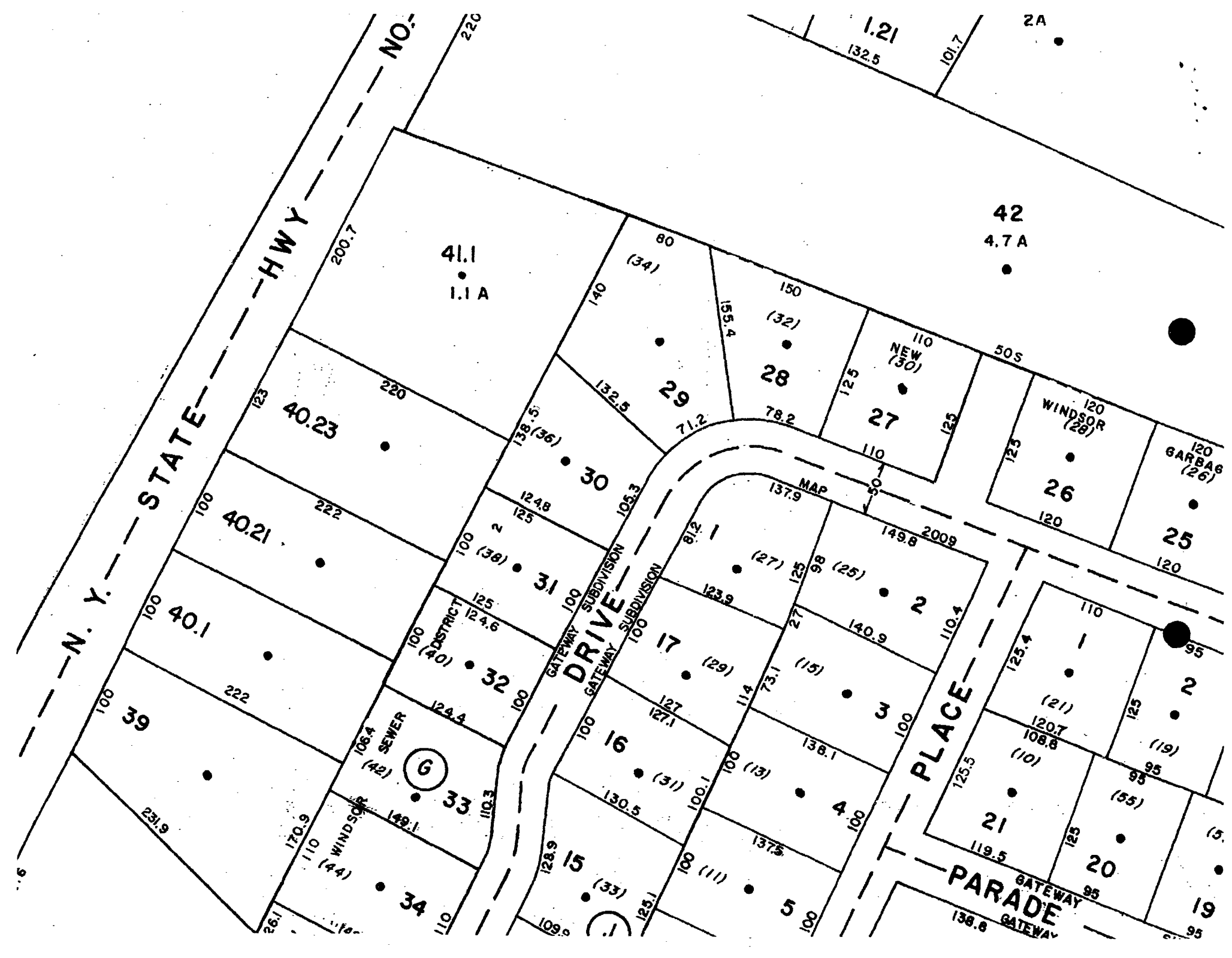
(Owner's Address)

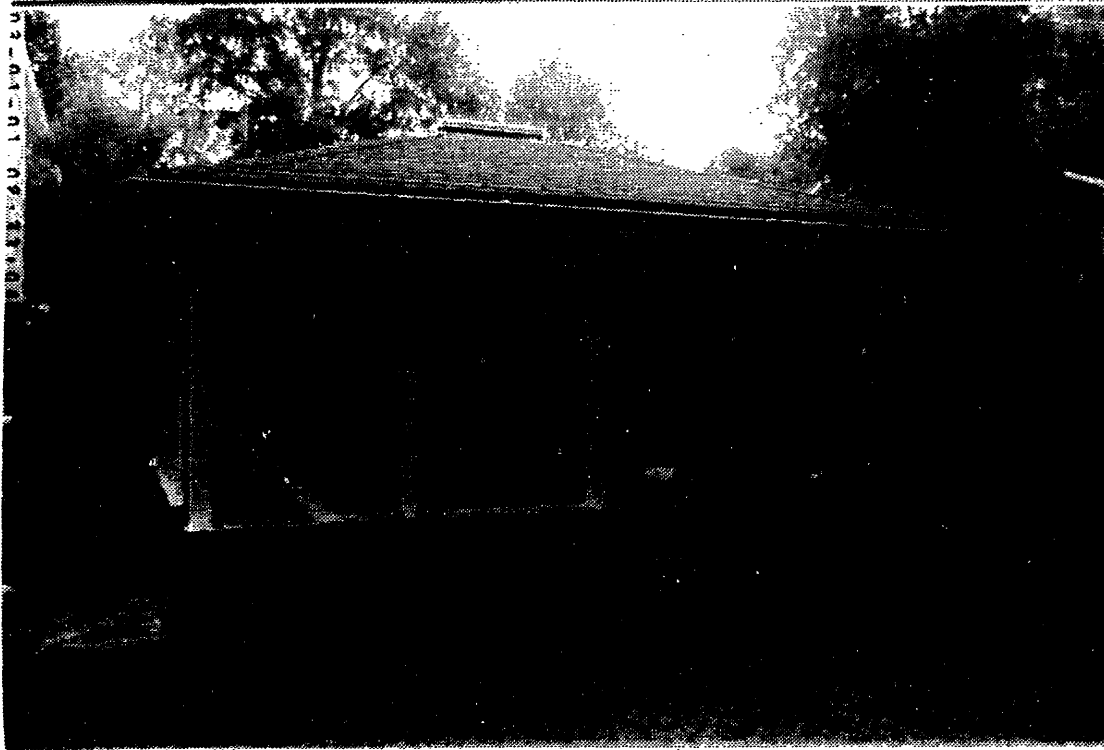
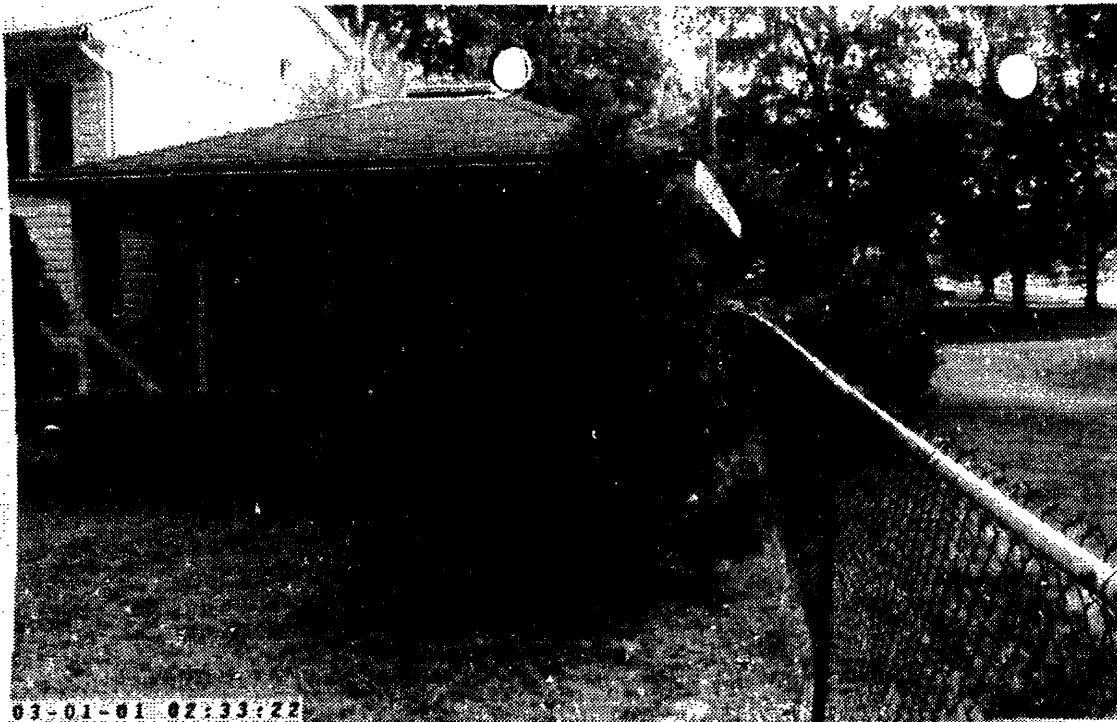
PLOT PLAN

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.











**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: OCTOBER 15, 2004**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-60**

**NAME & ADDRESS:**

**Marie Guillotin  
30 Continental Drive  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.10-18-04**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #04-60      TYPE: AREA

APPLICANT Name & Address:

**Marie Guillotin**  
**30 Continental Drive**  
**New Windsor, NY 12553**

TELEPHONE:      562-7940

RESIDENTIAL:	\$ 50.00	CHECK # <u>1345</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 1346

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ____ PAGES     | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ____ PAGES     | \$ _____                               | \$ _____                      |

TOTAL:      \$ 33.00      \$ 70.00

~~~~~

ESCROW POSTED:      \$ 300.00

LESS: DISBURSEMENTS:      \$ 103.00

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 197.00

Cc:

PUBLIC HEARINGS:

JEAN GUILLOTIN (04-60)

MR. KANE: Request for 7 ft. side yard setback for existing detached screened building at 30 Continental Drive in an R-4 zone.

Mrs. Jean Guillotin appeared before the board for this proposal.

MR. KANE: Is there anybody here for this particular hearing that would wish to speak? No one is here for this hearing so come up and tell us what you want to do.

MS. GUILLOTIN: We'd like to obtain a variance so that we can sell the home.

MR. KANE: How long has that screened-in building been there approximately?

MS. GUILLOTIN: About 24 years ago it was there.

MR. KANE: It was there when you purchased it?

MS. GUILLOTIN: Yes.

MR. KANE: As far as you know, 24 plus?

MS. GUILLOTIN: Yes.

MR. KANE: Any complaints formally or informally about it?

MS. GUILLOTIN: No.

MR. KANE: Do any easements run through the building whatsoever?

MS. GUILLOTIN: No.

MR. KANE: To your knowledge, creation of any water hazards or runoffs with it?

MS. GUILLOTIN: No.

MR. KANE: And again, I have to ask, do you know if there's any cutting down of trees or substantial vegetation with the building of it?

MS. GUILLOTIN: No.

MR. KRIEGER: You're on Town water and sewer, correct?

MS. GUILLOTIN: Yes.

MR. MINUTA: Does this screened porch have a Certificate of Occupancy?

MR. BABCOCK: They've got an engineer's report on it so if they're successful in getting the variance, we'll issue that.

MR. KANE: Do you have any information yourself, Mike, about how long it was in existence?

MR. BABCOCK: No, we, what we said is that it never had the proper building permit, that's why she's here tonight.

MR. KANE: And clean it up, okay, and obviously taking down the building and moving it would be a financial hardship?

MS. GUILLOTIN: It's impossible, it's in cement and blocks.

MR. KANE: Have to ask the questions. Okay, at this point, I will open the public portion of the meeting

and ask once again if there's anybody here for this particular hearing? Seeing as there's not, we'll close the public portion.

MS. MASON: On the 24th of August, I mailed out 48 addressed envelopes containing the notice of public hearing and I had no responses.

MR. KANE: Any further questions?

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will.

MR. MINUTA: Make a motion that we grant Jean Guillotin her request for 7 foot side yard setback for the existing detached screened building at 30 Continental Drive in an R-4 zone.

MS. LOCEY: Second it.

ROLL CALL

MR. MINUTA	AYE
MR. REIS	AYE
MS. LOCEY	AYE
MR. KANE	AYE

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

MARIE GUILLOTIN

AFFIDAVIT OF  
SERVICE  
BY MAIL

#04-60

----- X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 24TH day of AUGUST, 2004, I compared the 48 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

7<sup>th</sup> day of September, 2004

Cheryl L. Canfield

Notary Public

CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County  
#01CA6073319  
Commission Expires April 22, 2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

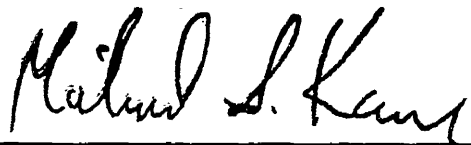
**Appeal No. 04-60**

**Request of MARIE GUILLOTIN**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 7 ft. Side Yard Setback (300-11A) for existing detached screened building at 30 Continental Drive in an R-4 Zone (45-1-27)**

**PUBLIC HEARING will take place on SEPTEMBER 13, 2004**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

A handwritten signature in black ink, appearing to read "Michael S. Kane", written over a horizontal line.

**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

August 10, 2004

Marie Guillotin  
Gina DeCerbo  
100 Commerce Drive  
Suite 105  
New Windsor, NY 12553

Re: 45-1-27 ZBA#: 04-60

Dear Ms. Guillotin & DeCerbo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

42-1-18  
Ruth Bakker  
20 Lannis Avenue  
New Windsor, NY 12553

42-2-11  
Gary & Rosemary McDermott  
18 Mark Street  
New Windsor, NY 12553

45-1-1.21 & 45-1-43  
Edward & Loretta Trizinsky  
309 Windsor Highway  
New Windsor, NY 12553

45-1-2.2  
Felipe Antonio Taveras  
Cynthia Burgas  
20 Mark Street  
New Windsor, NY 12553

45-1-24  
Lucille Greiner  
24 Continental Drive  
New Windsor, NY 12553

45-1-28  
Joseph & Lillian Harris  
32 Continental Drive  
New Windsor, NY 12553

45-1-31  
William & Christine Gegenheimer  
38 Continental Drive  
New Windsor, NY 12553

45-1-34  
Thomas & Catherine Durkin  
44 Continental Drive  
New Windsor, NY 12553

45-1-40.23  
William Horowitz, Corp.  
6 Hamilton Drive East  
North Caldwell, NJ 07006

45-2-1  
Alexander & Patricia Milne  
27 Continental Drive  
New Windsor, NY 12553

42-1-20  
Robert Pavignano  
62 Woodward Terrace  
Central Valley, NY 10917

42-2-12  
Steven Catania  
19 Lannis Avenue  
New Windsor, NY 12553

45-1-1.22  
Leone Properties, LLC  
348 Route 32 / P.O. Box 141  
Central Valley, NY 10917

45-1-22  
Charles & Audrey Spreer  
20 Continental Drive  
New Windsor, NY 12553

45-1-25  
Vincent & Joan Granieri  
26 Continental Drive  
New Windsor, NY 12553

45-1-29  
Rudolph & Elsie Rivera  
34 Continental Drive  
New Windsor, NY 12553

45-1-32  
Javier & Norma Garcia  
40 Continental Drive  
New Windsor, NY 12553

45-1-40.1  
Rottmeier Family Trust  
4699 S. Atlantic Avenue  
Ponce Inlet, FL 32127

45-1-41.1  
Charles Catanzaro  
26 Susan Drive  
Newburgh, NY 12550

45-2-2  
Joan & Walter Marvel, III  
25 Continental Drive  
New Windsor, NY 12553

42-1-21  
John & Mary Craig  
22 Lannis Avenue  
New Windsor, NY 12553

45-1-1.1  
Joseph & Genevieve Masloski  
24 Lannis Avenue  
New Windsor, NY 12553

45-1-2.1  
Leonard Grimando  
22 Mark Street  
New Windsor, NY 12553

45-1-23  
Timothy & Theresa Wersebe  
22 Continental Drive  
New Windsor, NY 12553

45-1-26  
Samuel, Ruby & Leon Jones  
28 Continental Drive  
New Windsor, NY 12553

45-1-30  
Laurel & George Heine, Jr.  
36 Continental Drive  
New Windsor, NY 12553

45-1-33  
Gerald & Deborah Wynters  
Herbert Milch  
42 Continental Drive  
New Windsor, NY 12553

45-1-40.21  
Planet Wings of New Windsor, Inc.  
24 Sunnyside Avenue  
Middletown, NY 10940

45-1-42  
Susan Schatz  
73 Blooming Grove Tpke  
New Windsor, NY 12553

45-2-3  
Kathy & Charles Hunter, Jr.  
15 Musket Place  
New Windsor, NY 12553

45-2-4

Peter & Dolores Valentino  
13 Musket Place  
New Windsor, NY 12553

45-2-15

Steven Ponesse  
Dawn Marie Mulder  
33 Continental Drive  
New Windsor, NY 12553

45-3-1

Donald & Karen Fassbender  
8 Musket Place  
New Windsor, NY 12553

45-3-8

Ronald Buckner  
Diane Wilkinson-Buckner  
16 Cannon Drive  
New Windsor, NY 12553

45-4-3

Alfredo & Elizabeth Lavigat  
17 Continental Drive  
New Windsor, NY 12553

45-4-19

William Brentnall, Jr.  
33 Parade Place  
New Windsor, NY 12553

45-2-5

James & Jennifer Mitru  
11 Musket Place  
New Windsor, NY 12553

45-2-16

Steven & Sheila DeCicco  
31 Continental Drive  
New Windsor, NY 12553

45-3-2

Michael & Denise Kirk  
26 Parade Place  
New Windsor, NY 12553

45-4-1

Kenneth & Catherine Rose  
21 Continental Drive  
New Windsor, NY 12553

45-4-4

Lorenzo Reyes  
Marta Cadavid  
15 Continental Drive  
New Windsor, NY 12553

45-4-20

Kevin & Jennifer Doyle  
35 Parade Place  
New Windsor, NY 12553

45-2-6

Christopher & Jeannine Leggett  
9 Musket Place  
New Windsor, NY 12553

45-2-17

Edward & Lenore Smith  
29 Continental Drive  
New Windsor, NY 12553

45-3-3

Frank Ceriello  
24 Parade Place  
New Windsor, NY 12553

45-4-2

Robert & Annette Gaydos  
19 Continental Drive  
New Windsor, NY 12553

45-4-18

Margaret & Jeffrey Pagano  
31 Parade Place  
New Windsor, NY 12553

45-4-21

Marguerite Brodeski  
10 Musket Place  
New Windsor, NY 12553

PRELIMINARY MEETINGS:

JEAN GUILLOTIN (04-60)

MR. KANE: Request for 7 ft. side yard setback for existing detached screened building at 30 Continental Drive in an R-4 zone. What I need you to do is to state your names clearly and your address so this young lady can hear you over here. In New Windsor we do things a little different than other towns in that we have a preliminary meeting so we can get an idea of what you want to do and you can get a feeling from us what we need from you. Everything by law in a Zoning Board of Appeals has to be done by a public hearing so we will have a preliminary tonight then set you up for a public hearing which we'll repeat the process, okay, so tell us what you want to do.

MS. DISERBO: My name is Gina Diserbo (phonetic) from REMAX Reality, I'm marketing this property from Mrs. Guillotin.

MS. GUILLOTIN: Marie Guillotin.

MS. DISERBO: She's the owner of the property. We have an existing screened detached porch that it's been on the premises since she's owned it since 1980, it doesn't currently meet setback requirements and we're looking to get a C.O. so she may sell the property.

MR. KANE: Do you know an approximate age on that, any information on how long it's been there?

MS. GUILLOTIN: Very, very old.

MR. KANE: Do we have it on file?

MR. BABCOCK: No.

MR. KANE: Okay, to your knowledge, got to ask these

questions, in the building of this, were there cutting down any trees down or removing substantial vegetation?

MS. GUILLOTIN: No.

MR. KANE: Create any water hazards or runoffs?

MS. GUILLOTIN: No.

MR. KANE: Have there been any complaints formally or informally about the building of this?

MS. GUILLOTIN: No.

MR. KANE: Not since 1908, since you've been there?

MS. GUILLOTIN: Right.

MR. KANE: Gentlemen?

MR. REIS: Do you happen to know, Marie, if it goes across any easements or right-of-ways?

MS. GUILLOTIN: What?

MR. REIS: Do you happen to know if it goes across any easements or right-of-ways?

MS. GUILLOTIN: That's on the other side of the right-of-way, that's not on that side.

MR. REIS: Any electric?

MS. GUILLOTIN: No.

MR. REIS: Thank you.

MR. KANE: You understand that if the board does approve this after the public hearing, you're subject to meeting all the specifications by the building

August 9, 2004

4

department to get approval on that?

MS. GUILLOTIN: Yes.

MR. KANE: Other questions? Steve?

MR. RIVERA: No.

MR. KANE: Okay.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion we set up Jean Marie Guillotin  
for requested variance at 30 Continental Drive.

MR. RIVERA: Second it.

ROLL CALL

MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

August 16, 2004

Marie Guillotin  
30 Continental Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-60

Dear Ms. Guillotin:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

30 Continental Drive  
New Windsor, NY

is scheduled for the September 13, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

Cc: Remax – Gina DeCerbo

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 08-04-04

FOR: ESCROW 04-60

FROM: MARIE GUILLOTIN

30 CONTINENTAL DRIVE

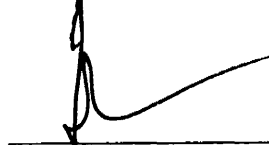
NEW WINDSOR, NY 12553

CHECK NUMBER: 1346

TELEPHONE: 562-7940

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

8/11/07  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 08-04-04

FOR: ESCROW 04-60

FROM: MARIE GUILLOTIN

30 CONTINENTAL DRIVE

NEW WINDSOR, NY 12553

CHECK NUMBER: 1346

TELEPHONE: 562-7940

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

L. Reis 8/9/04  
NAME DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

August 4, 2004

Marie Guillotin  
30 Continental Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-60

Dear Ms. Guillotin:

This letter is to inform you that you have been placed on the August 9<sup>th</sup>, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

30 Continental Drive  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

Cc: Remax – Gina DeCerbo

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#814-2004**

08/09/2004

ZBA # 04-60 application *See*

Guillotin, Mary  
30 Continental Drive  
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 08/09/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

8/9 C4-60



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO  
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

\*

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

THE APPLICANT WILL BE BILLED  
DIRECTLY FOR THE PUBLIC HEARING  
ADVERTISEMENT IN THE "SENTINEL  
NEWSPAPER"

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).***

*Maria Sauri Guillot*  
SIGNATURE

*7/20/04*  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

7/20/04

Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 562-7940  
Marie Guillotin Fax Number: ( )

(Name)

30 Continental Dr. New Windsor, NY 12553

(Address)

II. **Applicant:** SAME AS ABOVE Phone Number: ( )

(Name)

Fax Number: ( )

(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: 845 561-7097  
Marie Guillotin Fax Number: ( )

(Name)

41 Gala Drive Newburgh, NY 12550

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ( ) 567-1177  
Fax Number: ( )

Paul Cuomo - engineer  
(Name)

(Address)

V. **Property Information:**

Zone: R-4 Property Address in Question: 30 Continental Dr. New Windsor

Lot Size: 13,750 Tax Map Number: Section 45 Block 1 Lot 27

- a. What other zones lie within 500 feet? \_\_\_\_\_
- b. Is pending sale or lease subject to ZBA approval of this Application? Yes
- c. When was property purchased by present owner? 1980
- d. Has property been subdivided previously? NO If so, When: \_\_\_\_\_
- e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
- f. Is there any outside storage at the property now or is any proposed? NO

\*\*\*\*PLEASE NOTE:\*\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	13,750		
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10 ft	3 ft.	7 ft.
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*The detached Screen building has been on the property from when I purchased the home in 1980 and I have been paying taxes for this screened building since then. The proposed variance will not have ~~any~~ an adverse effect or impact on the neighborhood.*

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**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

21<sup>st</sup> day of July 2004.



Signature and Stamp of Notary



Owner's Signature (Notarized)

Marie Louise Guillotin

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

DANIEL B. CLARINO  
Notary Public, State of New York  
No. 4619323  
Qualified in Orange County  
Commission Expires April 30, 2007

COMPLETE THIS PAGE ☐

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Marick Guillotin, deposes and says that he resides  
(OWNER)  
at 30 Continental Dr. in the County of Orange  
(OWNER'S ADDRESS)  
and State of New York and that he is the owner of property tax map  
(Sec. 85 Block 1 Lot 6)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he authorizes:

\_\_\_\_\_  
(Applicant Name & Address, if different from owner)

Gina DeCerro RE/MAX Benchmark 100 Commerce Dr  
(Name & Address of Professional Representative of Owner and/or Applicant) St. 105  
New Windsor

to make the foregoing application as described therein.

Date: July 23, 2004

Sworn to before me this:

23<sup>RD</sup> day of July 2004

\*\*

Marick Guillotin  
Owner's Signature (MUST BE NOTARIZED)

\_\_\_\_\_  
Applicant's Signature (If different than owner)

Gina DeCerro  
Representative's Signature

Daniel B. Clarino  
Signature and Stamp of Notary  
DANIEL B. CLARINO  
Notary Public, State of New York  
No. 4619323  
Qualified in Orange County  
Commission Expires April 30, 2007

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE  
PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT  
THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:**

**ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

COMPLETE THIS PAGE ☐